



**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

**Order 2002-9-12**

Issued by the Department of Transportation  
on the **13th day of September, 2002**

Ninety-day notice of intent of

**MESABA AVIATION, INC.  
d/b/a Mesaba Airlines**

to terminate service at Youngstown, Ohio,  
under 49 U.S.C. 41731 *et seq.*

**Served: September 18, 2002**

**Docket OST-2002-12477**

**ORDER TO SHOW CAUSE**

**Summary**

By this order, the Department is tentatively allowing Mesaba Aviation Inc., d/b/a Mesaba Airlines (Mesaba), to suspend its scheduled service at Youngstown, Ohio, on September 9, 2002.

**Background**

On June 10, 2002, Mesaba filed a 90-day notice of its intent to suspend service at Youngstown on September 9, 2002. Mesaba currently operates two daily one-stop round trips between Youngstown and Detroit using 34-seat Saab SF340 aircraft.

Mesaba states that the Department had already determined in Order 99-11-21 that Youngstown was well within 70 miles of the Pittsburgh airport and, thus, not eligible for subsidy under the Essential Air Service (EAS) program.

The Civil Aeronautics Board, by Order 83-11-19, issued November 4, 1983, defines Youngstown's EAS determination as at least two round trips a day to both Pittsburgh and Chicago.

**Decision**

To ensure that EAS funds are spent prudently, Congress has established certain eligibility criteria. Under Public Law 106-69, the Department of Transportation and Related Agencies Appropriations Act of 2000, the Department is precluded from compensating a carrier for serving any community

within 70 driving miles of a medium or large hub airport.<sup>1</sup> In response to a notice to suspend service by UFS, the Department issued Order 99-11-21 finding that Youngstown was 56 miles from the Pittsburgh airport and, thus, not eligible for subsidized air service. We repeat that finding here.

Although we have no authority to require Mesaba to continue to serve Youngstown after September 9, we note that the community generated a total of 20,658 O&D passengers in the Youngstown-Detroit market for the year ended September 30, 2001. With traffic levels averaging well over 50 passengers a day, we would encourage other carriers to examine the feasibility of providing service to the community.

As a final matter, we expect Mesaba, before suspending service, to contact all passengers holding reservations for flights affected, to inform them of the suspension, and to assist them in arranging alternate transportation or to provide a refund of the ticket price, without penalty, if requested.

This order is issued under authority delegated in 49 CFR 1.56a(f).

**ACCORDINGLY,**

1. We will take no action to prohibit Mesaba Aviation Inc., d/b/a Mesaba Airlines, from suspending its scheduled service at Youngstown, on September 9, 2002; and
2. We will serve a copy of this order on the parties listed in the Certificate of Service of Docket OST-2002-12477.

By:

**READ C. VAN de WATER**  
Assistant Secretary for Aviation  
and International Affairs

(SEAL)

*An electronic version of this document is available on the World Wide Web at  
<http://dms.dot.gov>*

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<sup>1</sup> Congress first imposed that eligibility standard in fiscal year 1992 appropriations language and repeated it every year through fiscal year 1999. Then, by P.L. 106-69, the Department of Transportation and Related Agencies Appropriations Act, 2000, Congress made it a permanent eligibility standard.